

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SONJA RODRIGUEZ MELENDEZ,

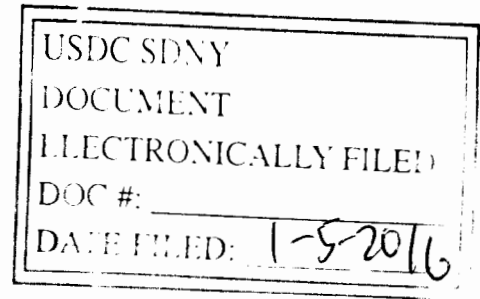
Plaintiff,

-v-

ACTING COMMISSIONER
OF SOCIAL SECURITY ADMINISTRATION,
CAROLYN W. COLVIN,

Defendant.
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No. 14CV363-LTS-MHD



ORDER

Plaintiff Sonja Rodriguez Melendez (“Plaintiff”) commenced this action on January 21, 2014, challenging the denial by the Social Security Administration (“SSA”) of her application for disability insurance benefits. (See Docket Entry No. 1.) By stipulation and order signed by the Court on January 9, 2015, the case was remanded to the Social Security Administration for further administrative proceedings. (See Docket Entry No. 20.) Plaintiff’s counsel, Howard D. Olinsky, Esq. (“Olinsky”), thereafter moved for an award of attorney’s fees under the Equal Access to Justice Act (“EAJA”), 28 U.S.C. § 2412(d). Defendant Colvin opposed Olinsky’s motion. (See Docket Entry No. 31.) On July 29, 2015, Magistrate Judge Michael H. Dolinger issued a Report and Recommendation (the “Report”) recommending that Olinsky’s motion be granted in part. (See Docket Entry No. 37.) No objections to the Report have been filed by either party.

When reviewing a report and recommendation, the Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate.” 28 U.S.C.S. § 636(b)(1) (C) (LexisNexis 2015). “To accept the report and recommendation of a

magistrate, to which no timely objection has been made, a district court need only satisfy itself that there is no clear error on the face of the record.” Wilds v. United Parcel Service, Inc., 262 F. Supp. 2d 163, 169 (S.D.N.Y. 2003) (internal citations and quotation marks omitted)).

Having reviewed Magistrate Judge Dolinger’s well-reasoned Report, to which no objection has been made, the Court finds no clear error. Therefore, the Court adopts the Report in its entirety. Accordingly, Olinsky’s motion for fees and costs is granted in part, in the amount of \$3,738.31. This Order resolves docket entry number 22.

SO ORDERED.

Dated: New York, New York
January 4, 2016

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge